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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,116	01/22/2002	Raymond Anthony Joao	RJ500	7371

7590 06/24/2005

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122 BELLEVUE PLACE
YONKERS, NY 10703

EXAMINER

CANGIALOSI, SALVATORE A

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/055,116	Applicant(s) JOAO, RAYMOND ANTHONY	
	Examiner Salvatore Cangialosi	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

4

Art Unit: 3621

1. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

2. Claims 1-20 are rejected under 35 U.S.C. § 103 as being unpatentable over either Palmeri (5596643) in view of Young (3669288) and Touzet (FR2816434).

Regarding claim 1, Palmeri (See Fig. 1, Col. 2, lines 25-35, claims 13, 25 and 27) disclose apparatus for shipping including memory means for storing shipping data substantially as claimed. The differences between the above and the claimed invention is the specific transmission means. While all container have code modules, Young (see figures 3 and 15, Col. 3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data. Touzet (See Fig. 1, element 9 and abstract translation) show container including a chip and digital

Art Unit: 3621

signature. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Palmeri because they are well known and conventional components of freight management in the prior art. Regarding the receiver limitations of claim 2, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data that is the functional equivalent of the claim. Regarding the GPS limitations of claim 3, GPS systems are obviously common on ships. Regarding the transmitter limitations of claim 4, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data that is the functional equivalent of the claim. Regarding the computer limitations of claim 5, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data that is the functional equivalent of the claim. Regarding the connection limitations of claim 6, Palmeri (See Fig. 1, Col. 2, lines 25-35, claims 13,25 and 27) disclose apparatus for shipping including memory means for storing shipping data attached to the conveyance that is the functional equivalent of the claim. Regarding the conveyance limitations of claim 7, Palmeri (See Fig. 1, Col. 2, lines 25-35, claims 13,25 and 27) disclose apparatus for shipping

Art Unit: 3621

including memory means for storing shipping data that is the functional equivalent of the claim. Regarding the transmit limitations of claim 8, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data that is the functional equivalent of the claim. Regarding claim 9, Palmeri (See Fig. 1, Col. 2, lines 25-35, claims 13,25 and 27) disclose a method for shipping including memory means for storing shipping data substantially as claimed. The differences between the above and the claimed invention is the specific transmission means. While all container have code modules, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data. Touzet (See Fig. 1, element 9 and abstract translation) show container including a chip and digital signature. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Palmeri because they are well known and conventional components of freight management in the prior art. Regarding claim 10, Palmeri (See Fig. 1, Col. 2, lines 25-35, claims 13,25 and 27) disclose apparatus for shipping including memory means for storing shipping data substantially as claimed. The differences between the above and the claimed invention is the specific transmission means. While all container have code modules,

Art Unit: 3621

Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data. Touzet (See Fig. 1, element 9 and abstract translation) show container including a chip and digital signature. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Palmeri because they are well known and conventional components of freight management in the prior art. Regarding the event limitations of claim 11, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data that is the functional equivalent of the claim. Regarding the receiver limitations of claim 12, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data that is the functional equivalent of the claim. Regarding the GPS limitations of claim 13, GPS systems are obviously common on ships. Regarding the sensor limitations of claim 14, Touzet (See Fig. 1, element 9 and abstract translation) show container including a chip and digital signature that records opening of a seal that is the functional equivalent of the claim. Regarding the computer limitations of claim 15, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a

Art Unit: 3621

code module of a shipping conveyance to store and transfer shipping data that is the functional equivalent of the claim. Regarding the connection limitations of claim 16, Palmeri (See Fig. 1, Col. 2, lines 25-35, claims 13,25 and 27) disclose apparatus for shipping including memory means for storing shipping data attached to the conveyance that is the functional equivalent of the claim. Regarding the conveyance limitations of claim 17, Palmeri (See Fig. 1, Col. 2, lines 25-35, claims 13,25 and 27) disclose apparatus for shipping including memory means for storing shipping data that is the functional equivalent of the claim. Regarding the signature limitations of claim 19, Touzet (See Fig. 1, element 9 and abstract translation) show container including a chip and digital signature that is the functional equivalent of the claim. Regarding the signature limitations of claim 18, Touzet (See Fig. 1, element 9 and abstract translation) show container including a chip and digital signature that is the functional equivalent of the claim. Regarding the event limitations of claim 20, Young (see figures 3 and 15, Col3, lines 20-25, and col. 10, lines 1-30) show a processor means interacting with a code module of a shipping conveyance to store and transfer shipping data that is the functional equivalent of the claim because the reporting of insurance events is standard business practice.

Examiner's Note: Although Examiner has cited particular

Serial Number: 10/055,116

7

Art Unit: 3621

columns, line numbers and figures in the references as applied to the claims above for the convenience of the applicant(s), the specified citations are merely representative of the teaching of the prior art that are applied to specific limitations within the individual claim and other passages and figures may apply as well. It is respectfully requested that the applicant(s), in preparing the response, fully consider the items of evidence in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number **(571) 272-6927**. The examiner can normally be reached 6:30 Am to 5:00 PM, Tuesday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at **(571) 272-6712**.

Any response to this action should be mailed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to (703) 872-9306

Serial Number: 10/055,116


8

Art Unit: 3621

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SALVATORE CANGIALOSI
PRIMARY EXAMINER
ART UNIT 222